REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 USC §132, effective on May 29. 2000,
provides for continued examination of an utility or plant application
filed on or after June 8. 1995.
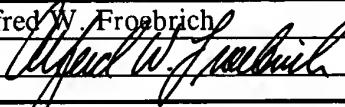See The American inventors Protection Act of 1999 (AIPA).

Application Number	10/509,822
Filing Date	September 30, 2004
First Named Inventor	Hubert ELMER
Group Art Unit	3635
Examiner Name	CHAPMAN, J. E.
Attorney Docket Number	5255-32PRCE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000 applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

   a. [] Previously submitted
      i. [] Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on. (Any unentered amendment(s) referred to above will be entered).
      ii. [] Consider the arguments in the Appeal Brief or Reply Brief previously filed on
      iii. [] Other
   b. [x] Enclosed
      i. [x] Amendment/Reply
      ii. [] Affidavit(s)/Declaration(s)
      iii. [] Information Disclosure Statement (IDS)
      iv. [] Other

   07/12/2007 SSITHIB1 00000017 10509822

   01 FC:1801   790.00 OP

2. **Miscellaneous**

   a. [] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed three months; Fee under 37 C.F.R. § 1.17(I) required)
   b. [] Other

3. **Fees**

   The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

   a. [] The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.: 03-2412.
      I [] RCE fee required under 37 C.F.R.§ 1.17(e), if not already paid by check
      ii. [] Extension of time fee (37C.F.R. §§ 1.136 and 1.17), if not already paid by check
      iii.[] Small Entity Status is being claimed for this application.
      vi.[] Other
   b. [x] Check in the amount of $790 for filing fee is enclosed.
   c. [] Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Alfred W. Froebrich	Registration No. (Attorney/Agent)	38,887	
Signature	*[signature]*	Date	July 9, 2007	

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: July 9, 2007

Name (Print/Type)	Alfred W. Froebrich		
Signature	*[signature]*	Date	July 9, 2007

Attorney Docket No.: **5255-32PRCE**

FILING FEE COMPUTATION SHEET

Submit an original and a duplicate for fee processing

Dated: July 9, 2007

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re RCE Application of: Hubert ELMER
For: Separating Wall
Parent Serial No.: 10/509,822

The filing fee has been calculated as shown below:

FOR:	Col. 1	Col. 2	SMALL ENTITY		LARGE ENTITY	
	# FILED	# EXTRA				
BASIC FEE				$395		$790
TOTAL CLAIMS	- 20 =		x 9 =	$	x 18 =	$
INDEPENDENT CLAIMS	- 3 =		x 44 =	$	x 88 =	$
MULTIPLE DEPENDENCY			+$150 =	$	+300	$
The fees below apply only if claims are added that exceed the number of the originally filed claims						
Claims in excess of originally filed claims		<u>0</u>	x 25 =	$	x 50 =	$
Claims in excess of originally filed claims		<u>0</u>	x 100 =	$	x 200 =	$
Multiple Dependency if added and not paid in parent		0	+$180 =	$	+360	$
			TOTAL:	$		$790